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| 10/549,392 | 09/05/2006 | Davide Antilli | 4280-108 | 1628 |

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INTELLECTUAL PROPERTY / TECHNOLOGY LAW
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| EXAMINER | |
|---|---|
| NGUYEN, PHUNG HOANG JOSEPH | |
| ART UNIT | PAPER NUMBER |
| 2614 | |
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

| Office Action Summary | Application No. | Applicant(s) | |
|---|---|---|---|
| | 10/549,392 | ANTILLI, DAVIDE | |
| | Examiner | Art Unit | |
| | PHUNG-HOANG J. NGUYEN | 2614 | |

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)☒ Responsive to communication(s) filed on *02 June 2009*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4)☒ Claim(s) *1-3 and 5-30* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-3 and 5-30* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

## DETAILED ACTION

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 6/2/2009 has been entered.

Current standing of the application:

Claims amended: 1, 9, 10, 12 and 22

Claims newly added: 28-30

Claims pending: 1-30 with claims 1, 12, 17 and 22 being independent.

### *Claim Rejections - 35 USC § 103*

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

**3. Claims 1-12 and 17-27are rejected under 35 U.S.C. 103(a) as being unpatentable over Wilson (EP 1 195 975) in view of Wildman et al. (EP 1 168 791).**

As to claims 1, 12, 17 and 22-27, Wilson teaches a system for establishing a

connection between a contact requester and a plurality of communications centers comprising:

a message receiver for accepting a message and a contact number sent from a mobile station *(a message decoder for receiving a text message from a mobile station of a mobile radio communication… , par. 0023);*

a parser for parsing the message and identifying one or more identifiers in the message, including a destination identifier *(call connection means sending an identification signal characteristics of the telephone number and said mobile station, par. 0023);* and

Furthermore, Wilson also teaches (specifically in addition to claim 22-27):

the communications device *(Mobile station, MS 1, see fig. 2)* comprising:

a display device for displaying a graphical user interface; a first memory for storing a plurality of icons for display on said graphical user interface; and a second memory for storing a plurality of destination numbers associated with one or more of the plurality of icons (By inherence, it is clear to the ordinary skilled artisan that Wilson teaches a mobile communication network using the Mobile Application Protocol MAP with dialing system would be comprising of GUI display where the screen display would list the information in text or icons, a memory to store the telephone numbers (Dialed, Received, Missed numbers) and thus allow the user to build his own database of address book or contact list). Furthermore, Wilson teaches a communication device (*mobile telephone*) has memory for storing telephone numbers and appropriate alphanumeric identifiers (par. 0013-0015), Short Message Service forming part of the

GSM standard enables alphanumeric text messages to be sent to the destination including a database for providing information in response to a query (par. 0017); the communication device sends message to the database ADDD that storing destination numbers associated with contact number (par. 0027)

As seen above, Wilson teaches the destination and the contact number and though Wilson teaches the call setup by translating a text message as a request for a call connection to a telephone number associated with the text message (Abstract),

And furthermore, Wilson teaches a connector *(call connection system CCS of fig. 1)* which uses the destination identifier and the contact number to first attempt to automatically establish a first telephonic connection between the connector and a requested one of the plurality of communications centers and subsequently establish a second telephonic connection between the connector and the contact requester, thus establishing a complete connection between the contact requester and the requested one of the plurality of communication centers *(call connection system provides communication with a mobile station (caller) MS, and with a destination/service, par. 0026-0027. Once again, destination/service is mapped to one of the call centers).*

Wilson does not teach "wherein at least one of the establishment of the first telephonic connection and the establishment of the second telephonic connection between the connector and the contact requester is repeatable until the complete connection is established".

Wildman likewise teaches a connector *(call-back handler)* which uses the destination identifier and the contact number to first attempt to automatically *(call-back*

*handler may also include a voice call handler 143 for automatically dealing with voice call, par. 0064)* establish a first telephonic connection (connect the callback-handler to the client, par. 0015, 0016, 0017, 0019) between the connector and a requested one of the plurality of communications centers *(ACD centers)* and subsequently establish a second telephonic connection between the connector and the contact requester *(when this occurs, the call-back handler dials (31) the original caller directly and connects together (33) the calls to the client and to the caller whereby the caller is connected to the client (7), par. 0047)*, thus establishing a complete connection between the contact requester and the requested one of the plurality of communication centers.

Furthermore over Wilson, Wildman teaches the establishment of the first telephonic connection and/or the establishment of the second telephonic connection between the connector and the contact requester is repeatable until the complete connection is established. *(See fig. 7 for the Retry in X minutes, the number is busy or unobtainable, a system alert is issued (73) and the call put in a virtual queue (75) for retry in a predetermined number of minutes (77), par. 0075. Also see fig. 7, label 93)* for the purpose of persistently using the callback handler to make connection between a client and an agent for customer's satisfaction in response time as well as avoiding losing a customer to a competitor.

Furthermore, Wildman teaches (specifically in addition to claim 12)

a plurality of work stations for use by staff members *(a call center with a number of agents or operators, or a group of persons, par. 0035, 0047 and 0083);* and

a connection acceptor for accepting a communications center connection and for passing the request to one of the plurality of work stations *(see fig. 7 and 8 for the process of a call setup is taken place. Par. 0074-0077 and 0080-0084).*

Therefore, it would have been obvious to the ordinary skilled artisan at the time of the invention was made to modify Wilson's method and system to include the element of repeating call attempts until the connection is established. As appreciate by the ordinary artisan, this modification will only require a minor change in routine coding without a major change in Specifications and Requirement (See detail argument further below). This modification from the business perspective will eliminate the waiting in the queue problem where the "callers to a call centre frequently object to being held in a queue and can become irate or hang up if they have to wait too long. Those customers may then take a service to a competitor, or simply not call back (par. 0007)

As to claim 2, Wilson, in view of Wildman, teaches a look-up table (*ADDD database, par. 0026-0027*) having a list of communications centers and a correlated list of destination identifiers, whereby the connector uses the look-up table to establish the requested one of the plurality of communications centers *(ACD centers)* from the destination identifier *(par. 0023, 0027).*

As to claims 3 and 11, Wilson does not teach queuing in a queue requests to establish the connection between the contact requester and the requested one of the plurality of communications centers. Nor does Wilson teach a list of staff members at the plurality of communications centers to whom the requests may currently be sent.

Wildman teaches queuing in a queue requests to establish the connection between the contact requester and the requested one of the plurality of communications centers ([0006]) and a list of staff members at the plurality of communications centers to whom the requests may currently be sent *(a call center with a number of agents or operators, or a group of persons, par. 0035, 0047 and 0083);*

As to claim 5, Wilson does not teach the connector establishes a telephone connection between the contact requester and a staff member at the communication center.

Wildman teaches the connector establishes a telephone connection between the contact requester and a staff member at the communication center (par. 0035, 0047 and 0083).

As to claims 6-7 and 18-19, Wilson does not teach passing one or more identifiers to the requested one of the plurality of communication centers.

Wildman teaches passing one or more identifiers to the requested one of the plurality of communication centers *(ACD centers).*

As to claim 8, Wilson, in view of Wildman, teaches the message is in either a text format (SMS text message, par. 0027), an audio format or an image format.

As to claim 9, Wildman teaches at least one timer for timing the length of time required to established the communication center connection ([0010] and [0036] - *where Wildman discussed handling a call back queue with a time controller, and arranging to place a pre-determined number of calls at one time, hence it would have been obvious*

*to one of ordinary skill in the art that the time controller for timing the length of time required to establish the connection*).

As to claim 10, Wildman teaches if the contact requester connection between the connector and the contact requester cannot established, retried a predetermined maximum number of time ([0077]); and since there are other callers waiting in the queue ([0034]), therefore, it would have been obvious to one of ordinary skill in the art at to place the request / caller at the bottom of the queue after maximum number of retries, otherwise other callers will be waiting on the queue forever and that will defeat the purpose of assisting customers or call centers.

As to claim 20, Wilson does not teach rescheduling the time for establishing a connection in the event that the connection is not established within a first time frame

Wildman teaches rescheduling the time for establishing a connection in the event that the connection is not established within a first time frame *(retry in a pre-determined number of minutes, par. 0075).*

As to claim 21, Wilson does not teach cancelling a request for connection if the connection is not established with a second time frame

Wildman teaches cancelling a request for connection if the connection is not established with a second time frame (Fig. 7, 93).

**4. Claims 13-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wilson (EP 1 195 975) in view of Wildman et al. (EP 1 168 791) and further in view of Gechter et al. (US Patent 5,274,700).**

As to claim 13, Wilson, in view of Wildman, does not teach the communication center comprising a customer relationship manager accessible by the staff members.

Gechter et al. teaches the communication center comprising a customer relationship manager accessible by the staff members (col. 2, lines 44-53; col. 4, lines 39-50).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of Gechter into the teachings of Wilson, in view of Wildman, for the purpose of have a more efficient system having a manager accessible by staff members on duty at all time to handle everyday issues.

Furthermore, as to claim 14, Gechter teaches receiving the contact number of the contact requester and accesses data in the customer relationship manager by means of the contact number (col. 2, lines 44-53 - *where Gechter discussed a system manager and agent supervisor stations connecting and receiving information from the routing means, control signals relating to the support of the supervised agent activities, hence the routing means has all routing information including contact number of the contact requester for routing purposes*).

As to claim 15, Gechter teaches the communication center including an on-line indicator to indicate which one of the work stations are in use (Fig. 4; col. 8, lines 63-65).

As to claim 16, Gechter et al. teaches the communication center including in IVR system to enable the staff member to indicate that the work station is in use (col. 12, lines 48-56).

As to claim 28, both Wilson and Wildman do not teach the system is adapted to send an SMS status report when the system is unable to establish the complete connection.

It is however obvious to the ordinary artisan that the calling party should always be notified if call connection attempt is made and due to whatever reason, i.e., congestion, busy, off-line...the actual connection is not established.

Therefore it would have been obvious to the ordinary artisan at the time of the invention was made to add one or more steps in the method of establishing connection between two parties via a connector to promptly keep each party the current status of the connection attempt.

As to claim 29, Gechter teaches the connector is adapted to establish a telephone connection between the contact requester and an available agent by utilizing an indicator (a routing signal provided to connect the incoming service request to an agent service providing station, col. 3, lines 62-66).

**5. Claim 30 is rejected under 35 U.S.C. 103(a) as being unpatentable over Wilson (EP 1 195 975) in view of Wildman et al. (EP 1 168 791) further in view of Hammond (US Pat 5155761).**

As to claim 30, Wilson, in view of Wildman, does explicitly not teach a message parser is adapted to interpret the message in a natural language.

Hammond teaches the robot operator can use a human understandable voice, or if desired, digital information could be provided to the calling line to handle situations where the caller is a machine, such as a computer. Responses from the calling line can

require many different resources within the robot operator to process the information, which can be a human voice, typed key pad responses to queries, or other types of information coming from the calling line or outside the calling line, for example, by integrated services digital network (ISDN) signals (col. 5, lines 36-46) for the purpose of converting back and forth between digital data and human understandable form.

Therefore it would have been obvious to the ordinary artisan to incorporate the teaching of Hammond into the teaching of Wilson in view of Wildman for the purpose of providing greater flexibility in language interpretation between natural language and any other form of language, i.e., digital.

### ***Response to Arguments***

Applicant's arguments with respect to claims 1-30 have been considered but are not persuasive to put the application in the condition for allowance.

Examiner thanks the applicant for providing the Declaration 1.132 wherein the applicant and another skilled person declared per experience and education that these two prior arts from Wilson and Wildman are not obvious to combine.

Examiner respectfully disagrees. Let re-emphasize first that Wilson does teach a connector *(call connection system CCS of fig. 1)* which uses the destination identifier and the contact number to first attempt to automatically establish a first telephonic connection between the connector and a requested one of the plurality of communications centers and subsequently establish a second telephonic connection between the connector and the contact requester, thus establishing a complete

connection between the contact requester and the requested one of the plurality of communication centers *(call connection system provides communication with a mobile station (caller) MS, and with a destination/service, par. 0026-0027).*

What Wilson does not teach is … "wherein at least one of the establishment of the first telephonic connection and the establishment of the second telephonic connection between the connector and the contact requester is repeatable until the complete connection is established".

By the base teaching of Wilson alone which comprising 95 percent of the base elements of the current application (as indicated in claim1), an ordinary artisan would have derive the last 5 percent (where Wilson does not teach repeating the connection attempt until complete connection is established) by the obvious reason. Note that Wilson is an intelligent system (if not by inherent, then by obvious) that the call connection must be established in order for the communication between parties to take place. For what ever reason, if one of the party experience congestion, busy, or anything that causes no connection, it would have been obvious that the system would repeatedly retry/re-attempt until the completion connection is established.

Wildman provides a connector *(call-back handler)* to establish a complete connection between the contact requester and the requested one of the plurality of communication centers.

Furthermore over Wilson, Wildman teaches the establishment of the first telephonic connection and/or the establishment of the second telephonic connection between the connector and the contact requester is repeatable until the complete

connection is established. ***(See fig. 7 for the Retry in X minutes, the number is busy or unobtainable, a system alert is issued (73) and the call put in a virtual queue (75) for retry in a predetermined number of minutes (77), par. 0075. Also see fig. 7, label 93)*** for the purpose of persistently using the callback handler to make connection between a client and an agent for customer's satisfaction in response time as well as avoiding losing a customer to a competitor.

As indicated above, applicant provides the Declaration 1.132 wherein the applicant and another skilled person declared per experience and education that these two prior arts from Wilson and Wildman are not obvious to combine.

Examiner was privileged to be employed by Lucent Technologies and then Alcatel-Lucent Technologies since July 1996 till August 2007 supporting switching service (5ESS including ACD system) and Mobility (Cellular/Wireless). Examiner also earned a graduate degree in Computer Science from Johns Hopkins University, Maryland, USA. Examiner believes that the prior arts of Wilson and Wildman are combinable... at least from this perspective... In reality, the modification of Wilson's teaching requires a very little involvement of Wildman's teaching because the telephonic connection between two parties being repeatable until the complete connection being established is widely known in the art. Wildman provides the well-known knowledge and the fact that repeating until complete establishment. What really need is only a minor modification in software coding in a controlled looping routine where the routine will define that if there is some reason X preventing the connection, it will loop around

for a pre-defined number of retries Y until connection is made. If it exceeds Y, the routine would call for the status report in text, in voice, in mail, in beep, or in pager.

## INQUIRY

Any inquiry concerning this communication or earlier communications from the examiner should be directed to PHUNG-HOANG J. NGUYEN whose telephone number is (571)270-1949. The examiner can normally be reached on Monday to Thursday, 8:30AM - 5:00PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis Kuntz can be reached on 571 272 7499. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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